

1641 \$ O I P E (2)

JUL 18 2005

PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: JULIAN et al.

Application No.: 09/787,006

Conf. No. 1262

Art Unit: 1641

Examiner: A. Y. Lam

Filed: March 12, 2001

Washington, D.C.

For: METHOD FOR DETECTING OR QUANTIFYING BASOPHILS AND EOSINOPHILS

Atty.'s Docket: JULIAN1

Date: July 18, 2005

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

Transmitted herewith is a [XX] Amendment [XX] Declaration of Biological Material Deposit

in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.
 [] No additional fee is required.
 [XX] The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | | (Col. 3) |
|---|---|-------|---------------------------------------|--|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | | PRESENT EXTRA EQUALS |
| TOTAL | * 31 | MINUS | ** 31 | | 0 |
| INDEP. | * 3 | MINUS | *** 3 | | 0 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | |

ADDITIONAL FEE TOTAL \$

| SMALL ENTITY | | OTHER THAN SMALL ENTITY | |
|----------------------|-------------------|-------------------------|-------------------|
| RATE | ADDITIONAL FEE | RATE | ADDITIONAL FEE |
| x 25 | \$ | x 50 | \$ |
| x 100 | \$ | x 200 | \$ |
| + 180 | \$ | + 360 | \$ |
| ADDITIONAL FEE TOTAL | | TOTAL | |

OR

OR

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 60.00
 [] Second - \$ 225.00
 [] Third - \$ 510.00
 [] Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 120.00
 [] Second - \$ 450.00
 [XX] Third - \$ 1020.00
 [] Fourth - \$ 1590.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.
 [] Please charge my Deposit Account No. 02-4035 in the amount of \$_____.
 [XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 1,020.00.
 [] A check in the amount of \$_____ is attached (check no.).
 [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
 Allen C. Yun
 Registration No. 37,971



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: JULIAN1

In re Application of:) Art Unit: 1641
JULIAN et al.)
Appln. No.: 09/787,006) Examiner: A. Y. Lam
) Washington, D.C.
Date Filed: September 10, 2001) Confirmation No. 1262
)
For: METHOD FOR DETECTING OR) July 18, 2005
QUANTIFYING BASOPHILS AND...)

AMENDMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop **Amendment**
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Office Action of January 27, 2005,
petition and payment for a three month extension of time being attached
hereto, please amend as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which
begins on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Attachments: A copy of an executed declaration of biological materials
deposit is attached following page 11 of this paper.

07/19/2005 HAL111 00000078 09787006

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